

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

PALTALK HOLDINGS, INC.,

Plaintiff

vs.

CISCO SYSTEMS, INC.,

Defendant.

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No. 6:21-cv-00757-ADA

JURY TRIAL DEMANDED

**DECLARATION OF ELISE EDLIN IN SUPPORT OF DEFENDANT CISCO SYSTEMS,
INC.'S MOTION TO EXCLUDE PORTIONS OF EXPERT TESTIMONY BY
MR. WALTER BRATIC AND DR. SCOTT SCHAEFER**

I, Elise Edlin, hereby declare as follows:

1. I make this declaration of my own personal knowledge, and if compelled to testify, I could and would competently testify thereto. I am an attorney at Perkins Coie LLP, counsel for Defendant Cisco Systems Inc. ("Cisco"). This declaration is submitted in support of Cisco's Motion to Exclude Portions of Expert Testimony by Mr. Walter Bratic and Dr. Scott Schaefer.

2. Attached as **Exhibit 1** is a true and correct copy of excerpts of the Expert Report of Walter Bratic, dated September 29, 2022. This document is designated Restricted - Outside Attorneys' Eyes Only.

3. Attached as **Exhibit 2** is a true and correct copy of excerpts of the Expert Report of Dr. Scott Schaefer Regarding Infringement, dated September 29, 2022. This document is designated Restricted - Outside Attorneys' Eyes Only.

4. Attached as **Exhibit 3** is a true and correct copy of "Webex Audio Supported Platforms and Services," dated March 17, 2022, *available at* <https://help.webex.com/en-us/article/nc66g2h/Webex-Audio-Support>.

5. Attached as **Exhibit 4** is a true and correct copy of excerpts of Walter Bratic's

deposition transcript, dated November 17, 2022. This document is designated Restricted - Outside Attorneys' Eyes Only.

6. Attached as **Exhibit 5** is a true and correct copy of excerpts of Scott Schaefer, Ph.D.'s deposition transcript, dated November 9, 2022. This document is designated Restricted - Outside Attorneys' Eyes Only.

7. Attached as **Exhibit 6** is a true and correct copy of excerpts of Amit Barave's deposition transcript, dated October 11, 2022. This document is designated Restricted - Outside Attorneys' Eyes Only.

8. Attached as **Exhibit 7** is a true and correct copy of "Webex Audio? Sounds good," *available at* <https://hardware.webex.com/use-cases/webex-audio>

9. Attached as **Exhibit 8** is a true and correct copy of an Excel spreadsheet bearing Bates number CISCO-PAL-00003157. This document is designated Restricted - Outside Attorneys' Eyes Only.

10. Attached as **Exhibit 9** is a true and correct copy of excerpts of a document titled "Zoom Compete Sales & Marketing Plan" bearing Bates number CISCO-PAL-00000714. This document is designated Restricted - Outside Attorneys' Eyes Only.

11. Attached as **Exhibit 10** is a true and correct copy of a "Patent Purchase and License Agreement" (the Webex Communications/NCR Corporation Purchase and License Agreement ("NCR Agreement")), bearing Bates number CISCO-PAL-00003856. This document is designated Restricted - Outside Attorneys' Eyes Only.

12. Attached as **Exhibit 11** is a true and correct copy of "Webex Communications, Inc.'s Form 10-K for fiscal year ended December 31, 2001," *available at* <https://sec.report/Document/0001012870-02-001539/>.

13. Attached as **Exhibit 12** is a true and correct copy of "Webex Communications,

Inc.'s Form 10-K for fiscal year ended December 31, 2003," *available at* <https://sec.report/Document/0001109935-04-000006/>.

14. Attached as **Exhibit 13** is a true and correct copy of "Webex Communications, Inc.'s Form 10-K for fiscal year ended December 31, 2004," *available at* <https://sec.report/Document/0001109935-05-000032/>.

15. Attached as **Exhibit 14** is a true and correct copy of Webex Mediatone, "The 'Dial Tone' for Web Communications Services," bearing Bates numbers CISCO-PAL-00003858.

16. Attached as **Exhibit 15** is a true and correct copy of "Cisco WebEx Meeting Center Video Conferencing" data sheet, *available at* https://www.cisco.com/c/dam/global/en_au/solutions/small-business/pdfs/datasheet-c78-734100.pdf.

17. Attached as **Exhibit 16** is a true and correct copy of "Cisco WebEx Meetings Audio PSTN Coverage for Cisco Collaboration Flex Plan" data sheet, *available at* https://www.cisco.com/c/dam/en/us/products/collateral/conferencing/webex-meeting-center/cisco_webex_gpl_audio.pdf.

18. Attached as **Exhibit 17** is a true and correct copy of "Cisco Webex vs. Microsoft Teams," bearing Bates number CISCO-PAL-00001351. This document is designated Restricted - Outside Attorneys' Eyes Only.

19. Attached as **Exhibit 18** is a true and correct copy of "Webex Suite, The first best-of-breed suite for hybrid work," bearing Bates number CISCO-PAL-00001223. This document is designated Restricted - Outside Attorneys' Eyes Only.

20. Attached as **Exhibit 19** is a true and correct copy of "5 reasons more companies choose Webex," bearing Bates number CISCO-PAL-00000662.

21. Attached as **Exhibit 20** is a true and correct copy of "Cisco Systems, Inc.'s Form 10-K for the fiscal year ended July 31, 2021," bearing Bates number CISCO-PAL-00001395.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct to the best of my current knowledge.

Executed this 1st day of December, 2022 in Oakland, California.

/s/ Elise Edlin
Elise Edlin